

SOLICITATION, OFFER, AND AWARD (Construction, Alteration, or Repair)		1. SOLICITATION NO. W5J9JE-11-R-0074	2. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 13-Mar-2011	PAGE OF PAGES 1 OF 80
<b>IMPORTANT - The "offer" section on the reverse must be fully completed by offeror.</b>					
4. CONTRACT NO.		5. REQUISITION/PURCHASE REQUEST NO. W617PM03629318		6. PROJECT NO.	
7. ISSUED BY AFGHANISTAN DISTRICT NORTH (AEN) US ARMY CORPS OF ENGINEERS OPERATION ENDURING FREEDOM APO AE 09356		CODE W5J9JE		8. ADDRESS OFFER TO (If Other Than Item 7) CODE  <b>See Item 7</b>	
TEL:		FAX:		TEL:	
9. FOR INFORMATION CALL:		A. NAME YOLANDA E BICKHAM		B. TELEPHONE NO. (Include area code) (NO COLLECT CALLS)	
<b>SOLICITATION</b>					
<b>NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".</b>					
10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS (Title, identifying no., date):  Provincial Response Company, Maydan Shahr, Wardak Province, Afghanistan  Per FAR 36.204, the magnitude of this contract is anticipated to be between \$5,000,000.00 and \$10,000,000.00.  Section 886 Full & Open Competition: This solicitation limits competition to products, services, and sources from Afghanistan and is authorized by Section 886 of Public Law 110-181. Failure to meet the requirements of Section 886 of Public Law 110-181 shall make the offeror ineligible to receive a contract award.  Potential offerors shall submit a copy of their Domestic Investment License Issued by the Afghanistan Investment Support Agency (AISA) with their price proposal. Failure to provide this document will eliminate the offeror from further consideration. Also see Section 00100 Instructions to Offerors, Conditions, and Notices to Offerors.  AISA Website: <a href="http://www.aisa.org.af/english/applications.html">http://www.aisa.org.af/english/applications.html</a>					
11. The Contractor shall begin performance within <u>7</u> calendar days and complete it within <u>400</u> calendar days after receiving <input type="checkbox"/> award, <input checked="" type="checkbox"/> notice to proceed. This performance period is <input type="checkbox"/> mandatory, <input type="checkbox"/> negotiable. (See _____.)					
12 A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? (If "YES," indicate within how many calendar days after award in Item 12B.) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				12B. CALENDAR DAYS	
13. ADDITIONAL SOLICITATION REQUIREMENTS: A. Sealed offers in original and <u>3</u> copies to perform the work required are due at the place specified in Item 8 by <u>03:00 PM</u> (hour) local time <u>29 Mar 2011</u> (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due. B. An offer guarantee <input type="checkbox"/> is, <input checked="" type="checkbox"/> is not required. C. All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference. D. Offers providing less than <u>120</u> calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.					

**SOLICITATION, OFFER, AND AWARD (Continued)***(Construction, Alteration, or Repair)***OFFER (Must be fully completed by offeror)**14. NAME AND ADDRESS OF OFFEROR *(Include ZIP Code)*15. TELEPHONE NO. *(Include area code)*16. REMITTANCE ADDRESS *(Include only if different than Item 14)***See Item 14**

CODE

FACILITY CODE

17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation, if this offer is accepted by the Government in writing within \_\_\_\_\_ calendar days after the date offers are due. *(Insert any number equal to or greater than the minimum requirements stated in Item 13D. Failure to insert any number means the offeror accepts the minimum in Item 13D.)*

AMOUNTS

SEE SCHEDULE OF PRICES

18. The offeror agrees to furnish any required performance and payment bonds.

**19. ACKNOWLEDGMENT OF AMENDMENTS***(The offeror acknowledges receipt of amendments to the solicitation -- give number and date of each)*

AMENDMENT NO.

DATE

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN  
OFFER *(Type or print)*

20B. SIGNATURE

20C. OFFER DATE

**AWARD (To be completed by Government)**

21. ITEMS ACCEPTED:

22. AMOUNT

23. ACCOUNTING AND APPROPRIATION DATA

24. SUBMIT INVOICES TO ADDRESS SHOWN IN  
*(4 copies unless otherwise specified)*

ITEM

25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO

☐ 10 U.S.C. 2304(c)☐ 41 U.S.C. 253(c)

26. ADMINISTERED BY

CODE

27. PAYMENT WILL BE MADE BY:

CODE

**CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE**

☐ **28. NEGOTIATED AGREEMENT** *(Contractor is required to sign this document and return \_\_\_\_\_ copies to issuing office.)* Contractor agrees to furnish and deliver all items or perform all work, requisitions identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, certifications, and specifications or incorporated by reference in or attached to this contract.

☐ **29. AWARD** *(Contractor is not required to sign this document.)*

Your offer on this solicitation, is hereby accepted as to the items listed. This award consummates the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.

30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED  
TO SIGN *(Type or print)*31A. NAME OF CONTRACTING OFFICER *(Type or print)*

30B. SIGNATURE

30C. DATE

TEL:

EMAIL:

31B. UNITED STATES OF AMERICA  
BY

31C. AWARD DATE

## Section 00010 - Solicitation Contract Form

TABLE OF CONTENT

**Table of Contents**  
**Solicitation Provisions; Contract Clauses; and Site Adapt Specifications**  
 for  
 UP Provincial Response Company  
 Maydan Shahr, Wardak Province, Afghanistan

**Division 00 Procurement and Contracting Requirements**

<u>Section</u>	<u>Title</u>
00010	Price Proposal Schedule
00110	Technical Evaluation Requirements
00120	Proposal Evaluation and Contract Award
	The Site Adapt Process
00600	Representations and Certifications
00700	Contract Clauses
00800	Special Contract Requirements
	Design/Concept Documents

**Appendix A -1 Technical Specifications****Division 01 - General Requirements**

01010	Scope of Work
01015	Technical Requirements
01040	Security
01060	Special Clauses
01060a	Project Sign
01060b	Custom Forms
01312	Quality Control System
01321	Project Schedule
01321a	Attachment for 1321
01335	Submittal Procedures for Design-Build Projects
01335a	Attachments AED
01355	Environmental Protection
01415	Metric Measurements
01451	Contractor Quality Control
01525	Safety and Occupational Health Requirements
01525a	Attachment for 1525
01770	Closeout Procedures
01780A	Closeout Submittals
01781	Operation and Maintenance Data



**Division 02 - Existing Conditions**

02 41 00 Demolition

**Division 03 - Concrete**

03 30 00 Cast-In-Place Concrete

**Division 04 - Masonry**

04 20 00 Masonry  
04 43 00 Stone Masonry and Concrete Perimeter Wall  
04 57 13 Stone Masonry Wood Stove

**Division 05 - Metals**

05 12 00 Structural Steel  
05 40 00 Cold-Formed Metal Framing  
05 50 13 Miscellaneous Metal Fabrications

**Division 06 - Wood, Plastics, And Composites**

06 10 00 Rough Carpentry

**Division 07 - Thermal and Moisture Protection**

07 13 53 Elastomeric Sheet Waterproofing  
07 21 13 Board Insulation  
07 21 16 Mineral Fiber Blanket Insulation  
07 41 13 Non-Structural Metal Roofing  
07 60 00 Flashing and Sheet Metal  
07 84 00 Fire stopping  
07 92 00 Joint Sealants

**Division 08 - Openings**

08 11 13 Steel Doors and Frames  
08 14 00 Wood Doors  
08 34 63 Hollow Metal Frames, Doors, and Door Frames  
08 52 00 Wood Windows  
08 56 63 Detention and Security Windows  
08 71 00 Door Hardware  
08 81 00 Glazing

**Division 09 - Finishes**

09 22 37.00 10	Lathing and Plastering
09 24 23	Stucco
09 66 16	Terrazzo Tile
09 90 00	Paints and Coatings

**Division 10 - Specialties**

10 28 13	Toilet and Shower Accessories
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**Division 22 - Plumbing**

22 00 00	Plumbing, General Purpose
22 07 19	Plumbing Piping Insulation

**Division 23 - Heating, Ventilating, and Air Conditioning**

23 00 00	Air Supply, Distribution, Ventilation, and Exhaust Systems
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**Division 26 - Electrical**

26 00 00.00 20	Basic Electrical Materials and Methods
26 05 48.00 10	Seismic Protection for Electrical Equipment
26 20 00	Interior Distribution System
26 28 01.00 10	Coordinated Power System Protection
26 32 15.00 10	Diesel-Generator Set Stationary 100-2500 KW, With Auxiliaries
26 41 00.00 20	Lightning Protection System
26 51 00	Interior Lighting
26 56 00	Exterior Lighting

**Division 31 - Earthwork**

31 00 00	Earthwork
31 05 19	Geotextile

**Division 32 - Exterior Improvements**

32 11 16	Aggregate Base Course
32 15 00	Aggregate Surface Course
32 31 00.00 10	Chain Link Fences and Gates

**Division 33 - Utilities**

33 11 00	Water Distribution
33 16 15	Water Storage Steel Tanks
33 20 00	Water Wells
33 30 00	Sanitary Sewers
33 40 01	Storm Drainage
33 56 10	Fuel Storage Tank and Piping
33 71 02.00 10	Electrical Distribution System, Underground

**Division 34 - Transportation**

34 71 13.19	Vehicle Barriers
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**Division 43 - Process Gas and Liquid Handling, Purification and Storage Equipment**

43 21 39	Pumps: Water, Submersible Vertical Turbine and Hand Operated
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<b>Appendix B-1</b>	<b>Site Assessment Report</b>
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<b>Appendix B-2</b>	<b>PDF Drawings</b>
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**-- End Of Table Of Contents --**

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	Design Build FFP FOB: Destination PURCHASE REQUEST NUMBER: W917PM03629318	1	Each		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002	SITE DEVELOPMENT/IMPROVEMENT FFP FOB: Destination PURCHASE REQUEST NUMBER: W917PM03629318	1	Lump Sum		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003	FACILITIES FFP FOB: Destination PURCHASE REQUEST NUMBER: W917PM03629318	1	Lump Sum		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004	DBA INSURANCE FFP FOB: Destination PURCHASE REQUEST NUMBER: W917PM03629318	1	Lump Sum		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005	OPTION ITEMS FFP FACILITIES (DESIGN AND CONTRSTUCTION) FOB: Destination PURCHASE REQUEST NUMBER: W917PM03629318		Lump Sum		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AA	CONSTRUCT BARRACKS FFP FOR BLDG TYPE 2 FOB: Destination	1	Lump Sum		

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NET AMT



ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AB	DBA INSURANCE FOR FFP SUBCLIN 0005AA FOB: Destination	1	Lump Sum		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AC	CONTINUATION OF WATER WELL DRILIING FFP OPTION FOB: Destination	1	Lump Sum		

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NET AMT

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AD	DBA INSURANCE FFP FOR SUBCLIN 0005AC FOB: Destination	1	Lump Sum		

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NET AMT

## INSPECTION AND ACCEPTANCE TERMS

Supplies/services will be inspected/accepted at:

CLIN	INSPECT AT	INSPECT BY	ACCEPT AT	ACCEPT BY
0001	N/A	N/A	N/A	Government
0002	N/A	N/A	N/A	Government
0003	N/A	N/A	N/A	Government
0004	N/A	N/A	N/A	Government
0005	N/A	N/A	N/A	Government
0005AA	N/A	N/A	N/A	Government
0005AB	N/A	N/A	N/A	Government
0005AC	N/A	N/A	N/A	Government
0005AD	N/A	N/A	N/A	Government

## DELIVERY INFORMATION

CLIN	DELIVERY DATE	QUANTITY	SHIP TO ADDRESS	UIC
0001	400 dys. ADC	1	AFGHANISTAN DISTRICT NORTH (AEN) US ARMY CORPS OF ENGINEERS HOUSE 1, STREET 1, W WAZIR AKBUR KAHN KABUL FOB: Destination	W5J9JE
0002	400 dys. ADC	1	(SAME AS PREVIOUS LOCATION) FOB: Destination	W5J9JE
0003	400 hrs. ADC	1	(SAME AS PREVIOUS LOCATION) FOB: Destination	W5J9JE
0004	400 dys. ADC	1	(SAME AS PREVIOUS LOCATION) FOB: Destination	W5J9JE
0005	400 dys. ADC	0	N/A FOB: Destination	
0005AA	400 dys. ADC	1	AFGHANISTAN DISTRICT NORTH (AEN) US ARMY CORPS OF ENGINEERS HOUSE 1, STREET 1, W WAZIR AKBUR KAHN KABUL FOB: Destination	W5J9JE
0005AB	400 dys. ADC	1	(SAME AS PREVIOUS LOCATION) FOB: Destination	W5J9JE
0005AC	400 dys. ADC	1	(SAME AS PREVIOUS LOCATION) FOB: Destination	W5J9JE
0005AD	400 dys. ADC	1	(SAME AS PREVIOUS LOCATION) FOB: Destination	W5J9JE

PRICE PROPOSAL SCHEDULE

**SECTION 00010**  
**PRICE PROPOSAL SCHEDULE**

Provide a price for all items, including those labeled, "Optional Items." The Government will evaluate the Contractor's entire proposal to determine which CLINs represent the best value to the Government.

The Contractor shall provide a price for all items, including those labeled "Optional Items" (if any). The Government will award in accordance with the lowest price technically acceptable process in the basic contract which will be evaluated including the base and all optional items (if any).

<i>No.</i>	<i>Description</i>	<i>Qty</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Amount</i>
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**1. Base Proposal Items:****0001 DESIGN PROGRAM**

0001A	Site Survey/A-E Design	1	LS	\$ _____	
0001B	As-Built Drawings	1	LS	\$ _____	
0001C	Geo-technical Investigation	1	LS	\$ _____	

**0002 SITE DEVELOPMENT/IMPROVEMENTS**

0002A	Mob/Demobilization	1	LS	\$ _____	
0002B	De-mining and UXO removal	1	LS	\$ _____	
0002C	Site Demolition & Clearing	1	LS	\$ _____	
0002D	Water Supply & Distribution System	1	LS	\$ _____	
0002E	Sanitary Sewer Collection and Treatment System	1	LS	\$ _____	
0002F	Storm Water Collection and Management System	1	LS	\$ _____	
0002G	Underground Electrical Site Distribution System and Generation	1	LS	\$ _____	
0002H	Construct Roads/Walkways	1	LS	\$ _____	
0002J	Site Improvement/Grading	1	LS	\$ _____	
0002K	ECP's to include Canopy at Main	1	LS	\$ _____	
0002L	Perimeter Wall	1	LS	\$ _____	
0002M	Trash Point	1	EA	\$ _____	
0002N	Motor Pool with Wash Rack	1	EA	\$ _____	
0002O	Chain Link Fence & Gates	1	LS	\$ _____	

**0003 FACILITIES**

0003A	Administration Building	1	EA	\$ _____	\$ _____
0003B	Barracks Bldg Type 2	1	EA	\$ _____	\$ _____
0003C	Barracks Bldg Type 3	1	EA	\$ _____	\$ _____
0003D	Latrine/Shower/Ablution/Laundry Facilities	1	EA	\$ _____	\$ _____
0003E	Warehouse Building	1	EA	\$ _____	\$ _____
0003F	Dining Facility (DFAC)	1	EA	\$ _____	\$ _____
0003G	POL Building	1	EA	\$ _____	\$ _____

0003H	Guard Towers	4	EA	\$ _____	\$ _____
0003J	Secure Storage Building	1	EA	\$ _____	\$ _____
0003K	Fuel Storage & Generator Canopy	1	LS		\$ _____

**0004 DBA INSURANCE**

0004A	DBA Insurance	1	LS		\$ _____
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**Sub-Total Base Program:**

\$ \_\_\_\_\_

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**2. Optional Proposal Items:****0005 FACILITIES (Design and Construction)**

0005A	Construct Barracks Bldg Type 2 to Include Utility Tie In and Walkways	1	LS		\$ _____
0005B	DBA Insurance for CLIN 0005A	1	LS		\$ _____
0005C	Continuation of Water Well Drilling	180	LM	\$ _____	\$ _____
0005D	DBA Insurance for CLIN 0005C	1	LS		\$ _____

**Sub-Total Optional Program:**

\$ \_\_\_\_\_

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**TOTAL PROPOSAL FOR ALL ITEMS:**

\$ \_\_\_\_\_

(Total of all above costs – Base and all Options)

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**PRICE PROPOSAL SCHEDULE NOTES**

1. Offeror shall submit prices on all items. Scope of work on each items are described in Section 01010.

2. Abbreviations:

EA = Each

LS = Lump Sum

**-END OF SECTION-**



DBA REPRESENTATIONDBA REPRESENTATION**DEFENSE BASE ACT INSURANCE RATES – LIMITATION – FIXED-PRICE (OCT 2009)**

(a) The U.S. Army Corps of Engineers (USACE) has entered into a contract with **CNA Insurance** to provide all Defense Base Act (DBA) insurance to USACE and JCC-I/A contractors and subcontractors at a contracted fixed rate. The fixed rates for this insurance are as follows:

Service \$4.00 per \$100 of employee remuneration  
 Construction \$6.00 per \$100 of employee remuneration  
 Security \$10.00 per \$100 of employee remuneration  
 Aviation \$17.00 per \$100 of employee remuneration

(b) Bidders/Offerors should **compute the total compensation or total payroll**, (salary, plus overseas recruitment incentive and post differential, but *excludes* per diem, housing allowance, travel expenses, temporary quarters allowance, education allowance and other miscellaneous post allowances to include fee or profit) to be paid to employees who will be covered by DBA insurance. Compute the cost of DBA Insurance by utilizing the spaces provided below for the base period and whatever extension there may be thereafter, if applicable.

(1) Compensation of Covered Employees: \_\_\_\_\_  
 (Total Payroll Not Total Contract Value) Ex: If total Payroll is \$100,000.00

(2) Applicable DBA Rate: \_\_\_\_\_  
 (Use appropriate Rate) Ex: If a Service, the rate is \$4.00/\$100 or 4%

(3) Total DBA Cost: \_\_\_\_\_  
 (Amount of DBA Premium) Ex: \$100 K multiplied by 4% is \$4,000.00

(c) Bidders/Offerors shall include a statement as to whether or not local nationals or third country nationals will be employed on the resultant contract.

(d) CNA Insurance is utilizing Rutherford International as their managing Broker. The primary POC is the USACE DBA Program Administrator is Carole Sacra, (703) 813-6523 Carole.Sacra@rutherford.com The alternate POC is Sara Payne, Senior Vice President, (703) 813-6503 sara.payne@rutherford.com.

(e) Labor Category/Job Classification Definitions:

**SERVICE:** \$4.00/\$100 “White collar” workers such as IT Consultants, Engineers, Administrative type Officeworkers and light housekeeping. Security Consultants could be included as long as they are just assessing risk and not providing armed protection.

**CONSTRUCTION:** \$6.00/\$100 “Blue collar” workers providing Construction services such as Carpentry, Electrical, Plumbing, Concrete, Asphalt, Day Laborers, Operation and Maintenance of Heavy Equipment

**SECURITY:** \$10.00/\$100 Personal Security Detail (PSD) and Static or Convoy Guarding property of Personnel

**AVIATION:** \$17.00/\$100 Pilot and Crew of any aircraft excluding ground personnel who provide maintenance or services but stay on the ground

(End of Provision)

## Section 00100 - Bidding Schedule/Instructions to Bidders

SECTION 00110**SECTION 00110  
INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS****LOWEST PRICED TECHNICALLY ACCEPTABLE (LPTA)****1. DEFINITIONS**

This solicitation is for a firm fixed price type contract to construct a Provincial Response Company, Maydan Shahr, Wardak Province, Afghanistan.

This work includes, but is not limited to, management, planning, design, material, labor, and equipment, to site adapt and construct all utilities, vehicular access, buildings, force protection measures, site security, demining activities, and other features as referenced herein.

When the word 'Offeror' is encountered throughout this Section 00110, it is intended to mean a company or Joint Venture seeking to do business with the Government that submits a proposal in response to this solicitation.

A 'proposal' is documentation prepared by the Offeror and submitted to the Government for evaluation purposes in response to this solicitation.

When the word 'Government' is encountered throughout this Section 00110, it is intended to mean the U.S. Army Corps of Engineers Afghanistan District-North (AED-N).

Proposals for this solicitation will be accepted until the date and time indicated on Standard Form 1442. Prospective Offerors should submit inquiries related to this solicitation only by e-mail to:

E-MAIL ADDRESS: \*volanda.e.bickham@usace.army.mil

Include the solicitation number, and project title with any questions/clarifications. Written questions must be received by this office not later than 4 calendar days prior to the date set for receipt of offers. TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.

Oral explanations or instructions are not binding. Any information given to an Offeror which impacts the solicitation and/or offer will be given in the form of a written amendment to the solicitation.

As this is a competitive negotiation acquisition, there is no public proposal opening and no information will be given out as to the number of Offerors or the results of the competition until all awards are made.

**2. DIRECTIONS & GUIDANCE REGARDING NOTICE TO PROCEED (NTP)**

(a) The contract resulting from this Solicitation will require the successful Offeror to provide the Contracting Officer:

(1) Evidence of Defense Base Act (DBA) insurance coverage for its employees (mandatory for Notice to Proceed (NTP) to be issued);

(2) A performance guarantee (such as performance and payment bonds), if the solicitation and contract provide for that (mandatory for NTP to be issued);

(3) Proof of registration of its employees in the Synchronized Predeployment and Operational Tracker (SPOT) (mandatory before any physical work at the site shall commence): and

(4) An acceptable security plan in accordance with contract Section 01040 (mandatory before any physical work at the site shall commence).

(b) Evidence of Defense Base Act (DBA) insurance coverage for the successful Offeror's employees and the performance guarantee, if applicable, must be provided to the Contracting Officer prior to the contractor receiving Notice to Proceed (NTP). The successful Offeror shall be given up to 21 days after contract award to meet these requirements. The Contracting Officer intends to issue NTP immediately after these requirements are met.

(c) The successful Offeror is encouraged to complete all requirements (i.e., items a. 1-4) within 21 days after contract award, but may complete registration of its employees in SPOT and submit an acceptable security plan following NTP. However, no physical work at the site of the contract shall commence until all requirements are completed. The Contracting Officer will not modify the contracts' period of performance to account for the time it takes the successful Offeror to complete these requirements following NTP.

(d) Any unexcused contractor delay in completing these requirements within 21 days after contract award may be cause for the Government to pursue appropriate remedies under the contract, including its right to terminate the contractor's performance under the contract's "Defaults" Clause.

### 3. DIRECTIONS FOR SUBMITTING PROPOSALS

Offers must be placed in envelopes/packages, sealed and marked and addressed as follows:

#### MARK PACKAGES:

Solicitation No.: W5J9JE-10-R-0074

Offer Closing Date: 29 MAR 2010

Offer Closing Time: 3:00 p.m. (LOCAL KABUL TIME)

#### ADDRESS PACKAGES TO:

U.S. Army Corps of Engineers (USACE)  
Afghanistan Engineer District-North (AED-N)  
Qalaa House, Attention: \*Yolanda Bickham  
Kabul, Afghanistan

Additional Instructions Pertaining to Hand Carried Offers: Hand-carried offers must be delivered to the USACE AED-N office, Qalaa House, Kabul, Afghanistan. Offerors who are required to hand-deliver their offers must give properly marked package(s) to an AED-N guard at the entrance gate to Qalaa House Compound no later than the time specified above. The guard will provide a hand receipt indicating the date and time the package was received. Please verify that the hand receipt is accurate and retain the receipt for your records.

**PROPOSALS SUBMITTED AFTER THE DATE AND TIMES ESTABLISHED FOR SUBMISSION OF PROPOSALS WILL NOT BE EVALUATED.**



#### 4. SITE VISIT

An organized site visit will not be held. Vendors may visit the site on their own schedule and at their own risk.

**IMPORTANT NOTES.** (1) Remarks and explanations addressed during the conference shall not qualify or alter the terms and conditions of the solicitation. (2) The terms and conditions of the solicitation remain unchanged unless the solicitation is formally amended in writing by the Contracting Officer.

#### 5. ELECTRONIC OFFERS

FAXED PROPOSALS, MODIFICATIONS THERETO, OR CANCELLATIONS WILL NOT BE ACCEPTED. However, proposals may be withdrawn in writing by letter or e-mail. Any written notice to withdraw an offer sent to this office must be received in the office designated in the Request for Proposal (RFP) for receipt of offers not later than the exact date and time set for receipt of proposals.

#### 6. PROPOSALS SHALL BE SUBMITTED IN THE FOLLOWING FORMAT:

Proposal Package	<u>Original</u>	<u>Copies</u>
<b>VOLUME 1 – Technical Proposal</b>	<b>1</b>	<b>3</b>
FACTOR 1 – Experience		
FACTOR 2 – Key Personnel		
FACTOR 3 – Past Performance		
Volume 1 shall also include the following:		
<ul style="list-style-type: none"> <li>• Letters of Commitment from Subcontractors (if applicable)</li> <li>• Joint Venture Agreement (if applicable)</li> </ul>		
<b>VOLUME 2 – Price Proposal and Administrative Submission</b>	<b>1</b>	<b>0</b>

FACTOR 4 – Price Proposal

Volume 2 **shall** include the following:

Domestic Investment License issued by the Afghanistan Investment Support Agency (AISA). **Failure to provide this document will eliminate the offeror from further consideration.**

Volume 2 **shall** also include the following:

Signed Standard Form 1442  
Pricing Schedule  
Representation and Certifications, Section 00600  
All Amendments, signed and dated  
Offeror's e-mail address and cell phone number  
Name, Address, DUNS, CAGE and TAX Identification Numbers of the Contractor submitting the proposal  
Copy of offeror's Afghanistan Investment Support Agency (AISA) License(s)



The Government will not make assumptions concerning intent, capabilities, or experience. Clear identification of proposal details shall be the sole responsibility of the Offeror. The Government may reject incomplete proposals after initial evaluation without further consideration. Complete proposals shall meet the following basic requirements identified in paragraph 6.

## 7. PROPOSAL SUBMISSION REQUIREMENTS AND INSTRUCTIONS

### a. REQUIREMENT FOR SEPARATE TECHNICAL AND PRICE PROPOSALS.

DO NOT MIX CONTENTS OF VOLUME 1 (Technical) AND VOLUME 2 (Price) IN THE SAME BINDER.

(1) The Proposal shall be typed and submitted in clearly-written English

(2) Each Offeror must submit a Technical Proposal and a Price Proposal. The Technical Proposal and the Price Proposal must be submitted as separate volumes. Both the Technical and price proposal shall be paginated (contain consecutive page numbers on each page).

The outside cover of each separate volume (Vol 1 – Technical; Vol 2 – Price) must be clearly marked to indicate its contents and the identity of the Offeror. Additionally, identify the “original” Technical proposal and the “original” cost/price proposal on the outside cover.

(3) Both the Technical Proposal and the Price Proposal must be received by the closing date and time set for receipt of proposals.

(4) Pricing Schedule, Vol 2, shall be completed in full

(5) Do not include any dollar amounts in the Technical Proposal that are taken from the Price Proposal.

(6) All information intended to be evaluated as part of the Technical Proposal must be submitted within the Technical Proposal. Do not cross-reference material in the Price Proposal, or vice versa. Also, do not include links to websites in your proposal.

(7) Do not attempt to modify the terms and conditions of the solicitation in either the technical or price proposal or add conditions or qualifications to your offer. Should the Offeror include terms and conditions that conflict with the terms and conditions of the Solicitation, the offer may be determined “unacceptable” and thus ineligible for award. Any questions related to specific terms and conditions contained within the Solicitation should be resolved prior to submission of the offer. Notwithstanding the above, the Offeror must clearly describe on the Proposal Cover Sheet submitted with the Price Proposal any modifications to the contractual and/or technical terms and conditions of the solicitation contained in the Offer.

(8) Failure to submit required documents or failure to properly complete documents may result in rejection of the offer without further evaluation. Therefore, Offerors are urged to follow instructions carefully and to speak with the Contracting Officer if the Offeror does not understand any part of the Solicitation.

b. DISCUSSIONS. The Government intends to evaluate proposals and award a contract without discussions with Offerors. Therefore, the Offeror’s initial proposal should contain the Offeror’s best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. If the Contracting Officer determines that the number of proposals that would otherwise form the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

c. GENERAL INSTRUCTIONS.

- (1) Submit only the hard-copy paper documents specifically required in this section. Do not submit excess information; do not include audio-visual materials, electronic media, etc.
- (2) Use only 8 ½ by 11 inch paper or A4 paper for hard copy submissions, unless another paper size is specifically authorized elsewhere in this section for a particular submission. Do not use fold-outs (e.g., 11" x 14" or 11" x 17" sheets). Do not use a font size smaller than 10, an unusual font style such as script, or condensed print for any submission. All page margins must be at least 1 inch wide, but may include headers and footers. All pages must be numbered.
- (3) The preferred method for assembling your proposal is to use three-ring binders; however, the use of pressboard or other report covers with compression or other type fasteners is acceptable. Do not use spring clamps or exceed the recommended capacity of the fastener or binder. Do not use plastic multi-hole/spiral binding systems, heat binding systems, or other systems which do not facilitate the ready insertion of additional pages. Do not include loose papers.
- (4) References to "Confidential" projects cannot be submitted to demonstrate capability unless all of the information required for evaluation as specified herein can be provided to the Government as part of the Offeror's technical proposal. Offerors that include in their proposals information they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, must clearly mark their proposals in accordance with the instructions at FAR 52.215-1, "Instructions to Offerors—Competitive Acquisition," paragraph (e), "Restriction on disclosure and use of data."
- (5) In the case of an Offeror that is part of a large, multi-segmented business concern, provide information directly pertaining to the specific segment of the business concern (i.e., the division, group, unit, etc.) that will perform work under the prospective contract.
- (6) For submissions with page limitations, the pages will be counted as follows: One side of the paper is one page; information on both the back and front of one sheet of paper will be counted as two pages. Pages furnished for organizational purposes only, such as a "Table of Contents" or divider tabs, are not included in the page limitation.

**8. INSTRUCTIONS FOR SUBMISSION OF JOINT VENTURE AGREEMENTS**

- a. A Joint Venture offeror must submit with its technical proposal a copy of the joint venture agreement upon which the Joint Venture organization has been formed. The joint venture agreement must indicate that the joint venture is in existence as of the date and time that proposals are due to be submitted; or, alternatively, that the joint venture will automatically take legal effect immediately upon notification to the joint venture of contract award.
- b. If the original joint venture agreement is not written in English, the offeror must provide an English language copy of the joint venture instrument, accompanied by an original signed statement by an authorized officer or representative of each of the joint venture partners that the English translation is true and correct.
- c. The joint venture agreement must be signed by a representative of each joint venture partner who has the requisite authority to bind the partner to the agreement, with the chief executive of each entity identified.
- d. To be acceptable to the Government, the joint venture agreement must clearly state within its terms that each member of the joint venture is jointly and severally liable for all of the obligations of the joint venture itself with respect to completion of all work and services under the contract expected to result from the Solicitation.



e. The terms of the joint venture must detail, in terms of percentages, where appropriate, the relationship of the joint venture parties in terms of business ownership, capital contribution, and profit distribution or loss sharing.

f. Additionally, the joint venture agreement must specify who among the joint venture partners is authorized to sign the Solicitation's Standard Form 1442, acknowledging the amendments to the Solicitation, if any, and binding the entire joint venture to its obligations under any contract which may result from the Solicitation.

## 9. SUBCONTRACTORS

a. If an Offeror wishes to receive credit for the experience, key personnel or past performance of a subcontractor, including a firm that is a proposed subcontractor to the prime contractor or a joint venture partner, the Offeror must submit a letter of commitment to subcontract under the proposed project, signed both by the subcontractor and the Offeror.

b. For purposes of this Solicitation, such a subcontractor shall be considered to be a "qualified subcontractor."

c. The commitment letter must be submitted even if the subcontractor is in some way affiliated with a joint venture partner (for example, the subcontractor is a subsidiary of a joint venture partner, or a subsidiary of a firm to which the joint venture partner is also a subsidiary).

d. Include letters of commitment in Volume I, Factor 1, Experience.

## 10. SPECIFIC INSTRUCTIONS FOR VOLUME 1 – TECHNICAL PROPOSAL

(1) Number of Sets of the Technical Proposal. Submit an ORIGINAL and THREE (3) additional sets of the Technical Proposal, with each set in a separate binder.

(2) Format and Contents of the Technical Proposal and List of Tabs. The original and all copies of the technical proposal will be appropriately labeled as such. Each technical proposal shall be organized using the tabs specified in the following chart. Note: The main tabs directly correlate to the evaluation factors identified in Section 00120.

TAB	CONTENTS OF THE TECHNICAL PROPOSAL	PAGE LIMITS
TAB 1 Factor 1	EXPERIENCE	5
TAB 2 Factor 2	KEY PERSONNEL	2 pages per resume
TAB 3 Factor 3	PAST PERFORMANCE	5

(3) Page Limitations. The following page limitations are established for each factor described above:

- Factor #1, Experience – Limited to 5 pages (maximum of 5 forms)

Letters of Commitment from subcontractors (if applicable) will NOT count against your page limitation.

A Joint Venture agreement (if applicable) will NOT count against your page limitation.

- Factor #2, Key Personnel – Limited to 2 pages for each resume
- Factor #3, Past Performance – Limited to 5 pages (maximum of 5 forms)

Letters of recommendation, commendations, evaluations and/or awards will NOT count against your page limitation.

Pages submitted which exceed limitations listed above will not be evaluated. Tables of content, proposal cover letters, and tabs between proposal information do not count toward any page limitations in the proposal.

## 11. SPECIFIC INSTRUCTIONS FOR VOLUME II – PRICE PROPOSAL

(1) Number of Sets of the Price Proposal. Submit an ORIGINAL set of the Price Proposal in a binder.

(2) Size Restrictions and Page Limits. Use only 8 ½” x 11” or A4 pages. There are no page limits set for the price proposal. However, please provide only the information required by this solicitation. Excess information will not be considered in the Government’s evaluation.

(3) Format and Contents of the Price Proposal and List of Tabs. The Price Proposal shall be appropriately labeled and shall be organized and tabbed as indicated in the following chart.

	CONTENTS OF THE PRICE PROPOSAL
<b>TAB 1</b>	The Proposal Cover Sheet, to include the Offeror’s e-mail address, cell phone number, Name, Address, DUNS, CAGE and Tax Identification Number
<b>TAB 2</b>	The SF 1442 and Acknowledgement of all Amendments (signed and dated)
<b>TAB 3</b>	Section 00010, Pricing Schedule
<b>TAB 4</b>	Representations, Certifications, and Other Statements of the Offeror
<b>TAB 5</b>	Copy of Afghanistan Investment Support Agency (AISA) License(s)



(4) Detailed Submission Instructions for the Price Proposal

**TAB 1:** The proposal cover sheet is required by FAR 52.215-1(2) (c) (i)-(v) and must be submitted by all Offerors. This provision, titled “Instructions to Offerors—Competitive Acquisition,” and the format for the proposal cover sheet are furnished at the end of this section.

**TAB 2:** The SF 1442, Solicitation, Offer, and Award is to be completed by the Offeror and duly executed with an original signature by an official authorized to bind the offeror in accordance with FAR 4.102. Any and all amendments must be acknowledged by the Offeror in accordance with the instructions on the Standard Form 30, Amendment of Solicitation.

**TAB 3:** Section 00010 is to be completed in its entirety by the Offeror. See Sections 00010 with attached notes, for further instructions.

**TAB 4:** The Offeror must complete the “Representations, Certifications, and Other Statements of Offerors” attached to this solicitation in Section 0600. If the Offeror has previously completed these forms electronically via the Online Representation and Certification Application (ORCA) website, please print and attach your completed ORCA forms. Otherwise, please complete Section 0600. If the Offeror is a joint venture, each joint venture partner or entity must complete and attach the “Representations, Certifications, and Other Statements of Offerors” forms for its own organization, in addition to the “Reps and Certs” forms completed and submitted on behalf of the joint venture offeror.

**TAB 5:** Domestic Investment License issued by the Afghanistan Investment Support Agency (AISA) is required. The license shall be submitted in volume 2 with the Price proposals. **Failure to provide this document will eliminate the offeror from further consideration.**

**12. PROPOSAL FORMAT - VOLUME 1****TAB 1: FACTOR 1 - EXPERIENCE**

The Proposal must contain no more than five (5) projects using the attached Experience Information Form at the end of Section 00110, to contain the Offeror’s and or proposed team members experience performing work to that required in this solicitation. “Same or Similar” as referenced below, is defined as experience on projects that are the same or similar in size, scope, complexity and dollar magnitude as the project described in the solicitation.

**\*\*\*EXPERIENCE reflects whether the Offeror’s and/or proposed team member’s have performed the following work before.**

Demonstrate the experience of the Offeror and/or the proposed team, including sub-contractors and Joint Venture partners:

- The Offeror shall complete no more than five (5), Experience Information forms, attached at the end of Section 00110, in response to this factor. All blocks must be completed and all data must be accurate, current, and complete.
- At least two (2) of the projects submitted must be the same or similar to the project described in the solicitation
- All projects submitted must be at least 50% complete.
- **At least one (1) of the projects submitted must be valued at over \$1,500,000.00 AND must have been completed within the last 3 years. This project must be the same or similar to the project described in the solicitation.**

In addition, the Offeror shall submit:

- **At least one (1) project that has been successfully completed in the following Province(s):**
- LIST PROVINCE(S) Logar, Wardak, Bamyan, and Kabul.

This one (1) project must have been completed in the last three (3) years. This project must be 100% complete. This project **does not** have to be the **same or similar** to that described in the solicitation.

## **TAB 2: FACTOR 2 - KEY PERSONNEL:**

The Offeror must provide a Resume for the following Key Personnel:

Project Manager for Design  
 Project Manager for Construction  
 Senior Electrical Engineer  
 Senior Mechanical Engineer  
 Senior Civil Engineer  
 On-Site Construction Superintendent  
 Safety Officer  
 Quality Control Manager

Project Scheduler (Resume must indicate Scheduling Software experience (e.g., Primavera, Microsoft Project))

All Resumes must include the following information and may NOT exceed two (2) pages per Resume:

- Name and title
- Project positions held
- Name of firm
- Years of experience with this firm (in your field of expertise/discipline) **and** years of experience with other firms (in your field of expertise/ discipline)
- Education degree(s), year, and educational institution(s) which issued these degree(s)
- Active professional registration, year first registered, if applicable
- Other experience and qualifications relevant to same/similar work required under this contract
- List of projects in which the individual has worked to include Name of project(s) and project location(s)

The following key personnel must have educational degrees in required disciplines:

The following Key Personnel shall have a minimum of five (5) years of professional experience in their field.

- Project Manager for Design – Architectural or Engineering Degree

The following Key Personnel shall have a minimum of three (3) years of professional experience in their field.

- Project Manager for Construction – Architectural or Engineering Degree
- Senior Electrical Engineer – Electrical Engineering Degree

- Senior Mechanical Engineer – Mechanical Engineering Degree
- Senior Civil Engineer – Civil Engineering Degree

### **TAB 3: FACTOR 3, PAST PERFORMANCE**

The Proposal must include no more than five (5) projects using the attached Past Performance form at the end of Section 00110, representing the Offeror's relevant Past Performance. Relevant Past Performance is defined as past performance on projects that is the same or similar in size, scope, complexity and dollar magnitude as the project described in the solicitation.

**\*\*\*PAST PERFORMANCE describes how well the Offeror performed previous construction projects.**

Demonstrate the past performance of the Offeror and, if you wish, other members of the proposed team, if any, including sub-contractors and Joint Venture partners.

- The Offeror shall complete and submit no more than five (5) Past Performance forms (one (1) form for each project) attached at the end of the Section 00110 in response to this factor. Past Performance forms submitted must describe projects 50% completed within the last 3 years.
- The offeror shall provide its Data Universal Numbering System (DUNS) in Block 2. A DUNS number must be provided if the offeror possesses a DUNS number. If not, the offeror must state that it has no DUNS number.
- The Offeror is highly encouraged to also submit letters of recommendation, commendations, and/or awards on projects, which demonstrate construction experience, if available.

## **13. PROPOSAL FORMAT - VOLUME II**

### **TAB 1: FACTOR 4 - PRICE**

The Offeror's prices shall contain all costs to complete the work contained in the Bidding Schedule that is part of this solicitation. The Offeror's prices shall contain all costs including profit, all overhead (to include office and field overhead), labor burden, insurance, adjustments to listed prices, general and administrative expenses, subcontractor mark-up, mobilization and demobilization, and all other costs including, but not limited to, compliance with environmental laws, permits, preparation of reports, correspondence and documentation required by law or these specifications, tax laws, protection and/or moving of government property and engineering services. (Engineering services include those services that are incidental to construction, and completing submittals for construction work.) The prices shall also include costs necessary to interface with Government representatives, and coordination with occupants and other contractors as necessary. For more information see the Summary of Work.

Information to be provided in Volume II:

- Proposal Cover sheet (see instructions below)
- Offeror's e-mail address and cell phone number
- Offeror's name, Address, DUNS, CAGE and TAX Identification Number.
- SF1442, "Solicitation, Offer and Award"
- Any Amendments to the solicitation, signed and dated
- Completed Bidding Schedule, including the offeror's proposed component prices.
- Representation and Certifications, Section 00600
- Copy of offeror's Afghanistan Investment Support Agency (AISA) License



**Proposal Cover Sheet**

1. Solicitation Number:
2. The Offeror's name, address, land line and cell phone numbers (and electronic address if available):
3. A statement certifying that the enclosed proposal conforms to all terms, conditions, and provisions of the solicitation and a promise to furnish all items and services at the fixed price which the offeror has set opposite each item or service, or a statement specifying any exceptions contained in the offeror's proposal to the technical standards and cost/price standards set forth in the solicitation, including any exceptions to the requirements of this solicitation inherent in the Offeror's standard terms and conditions.
4. Names, titles, land line and cell phone numbers (and electronic addresses if available) of persons authorized to negotiate on the Offeror's behalf with the Government in connection with this solicitation.
5. Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of the agent's authority to bind the offeror, unless that evidence has been previously furnished to the issuing office.
6. Offeror's e-mail address, cell phone number, Name, Address, DUNS, CAGE and TAX Identification Number.



**EXPERIENCE INFORMATION****(To be completed by Offeror)****1. Contractor:**

Address:

**2. Contract /Task Order(TO) /Purchase Order (PO) Number:****3. Contract/TO/PO Dollar Value:****4. Contract/TO/PO Status:**☐ **Active**   ☐ **Complete**

Percent (%) complete and scheduled completion date (if active):

Completion Date (if 100% complete):

**5. Project Title:**☐ **Prime**   ☐ **Subcontractor**

Location (City and Province):

**6. Project Description:**

Features of work that the Offeror completed, including a statement of the total dollar value of this work::

***PAST PERFORMANCE***  
**(To be completed by Offeror)**

**1. Contract /Task Order(TO) /Purchase Order (PO) Number:**

**2. Contractor Data Universal Numbering System (DUNS) #:**

**3. Contract/TO/PO Dollar Value:**

**4. Project Title:**

Location (City and Province):

Percent complete:

Date completed:

Was Project Completed on time (within schedule) and within cost?

**5. If you answered "No" above, provide a brief synopsis on corrective actions that were taken:**

**6. List Current/On-going Projects, Dollar Value, Contract number, percentage (%) complete:**

**7. Provide points of Contact (POC)/References (minimum of 2 required) for individuals the Government may contact at companies that are present or previous customers of the Offeror:**

Name:

Name:

Phone #:

Phone #:

e-mail:

e-mail:

Project:

Project:

(End of Section)

SECTION 00120

**SECTION 00120**  
**PROPOSAL EVALUATION AND CONTRACT AWARD**  
**LOWEST-PRICED, TECHNICALLY ACCEPTABLE (LPTA)**

**1. ELIGIBILITY FOR CONTRACT AWARD.**

In accordance with the Federal Acquisition Regulation (FAR), no contract shall be entered into unless the Contracting Officer ensures that all requirements of law, executive orders, regulations, and all other applicable procedures, including clearances and approvals, have been met. This includes the FAR requirement that no award shall be made unless the contracting officer makes an affirmative determination of responsibility. To be determined responsible, a prospective contractor must meet the general standards in FAR Part 9 and any special standards set forth in the solicitation.

**2. LOWEST PRICE TECHNICALLY ACCEPTABLE (LPTA) SOURCE SELECTION PROCESS.**

An evaluation for acceptability will be performed on each proposal in accordance with FAR 15.101-2(b)(1). Any price proposal that is either within 25% above or below the Independent Government Estimate or within 25% above or below the average of all of the offers received will be considered to be reasonable and within the awardable range. The proposal within the awardable range that provides the lowest price and is otherwise technically acceptable in all factors will be selected for award. To be considered technically acceptable, no technical factor in the proposal may be rated as a "NO GO". The failure of a proposal to meet all of the requirements under any Factor will result in a technically unacceptable rating (i.e., NO GO) and preclude award.

The Government will conduct technical evaluations of proposals as follows. Each proposal will be evaluated against the evaluation factors established in Section 00120 by the Source Selection Evaluation Board (SSEB). In the event the Government receives more than ten proposals in response to this solicitation, the Government will evaluate proposals as follows. First, the Government will determine which ten complete proposals have the lowest overall proposed prices that are within the awardable range as described above. The technical (non-pricing) volume(s) of each of these proposals that are within the awardable range will be given to the Technical Evaluators for review, without identification of the prices or any rank order of prices. If no proposals are found to be technically acceptable within this first group of proposals, then the process described will be conducted again with up to the next ten lowest priced-proposals within the awardable range, as many times as necessary, until such time as the Government identifies a technically acceptable proposal(s).

Should no proposal be determined technically acceptable, the Contracting Officer may establish a competitive range consisting of the most highly rated proposals. Once the competitive range is established, the Government will engage in Discussions with all offerors included in the competitive range. After receipt of the Offeror's responses raised during Discussions, responses will be rated again in the same manner as described above for the initial evaluation.

**3. BASIS OF AWARD.**

Subject to the provisions contained herein, award will be made to one (1) Offeror who is deemed responsible in accordance with the Federal Acquisition Regulation who conforms to the solicitation requirements; and whose proposal, judged by an overall assessment of the evaluation criteria and other considerations specified in this solicitation meets the technically acceptable standard for the non-cost factors and provides the lowest evaluated price.

#### 4. EVALUATION OF THE PRICE PROPOSALS

Price will be evaluated and considered but will not be scored or combined with other aspects of the proposal evaluation. The proposed prices will be analyzed for reasonableness. Additionally, all offers will be analyzed for unbalanced pricing.

The otherwise technically-acceptable lowest-priced Offeror may be required to confirm/validate its price on a Contract Line Item (CLIN), element, or total price basis, and/or provide additional information in support of their price, prior to contract award at the Government's request and discretion.

#### 5. EVALUATION OF THE TECHNICAL PROPOSAL.

The Technical Proposal will be evaluated based on the following evaluation criteria:

**A. FACTOR 1 - EXPERIENCE:** The Government will review the Experience of the Offeror, including its subcontractors and Joint Venture partners, on projects submitted in response to Section 00110, Factor 1. "**Same or Similar**" as referenced below, is defined as experience on projects that are the same or similar in size, scope, complexity and dollar magnitude as the project described in the solicitation.

- The Offeror shall demonstrate its experience by completing no more than five (5) Experience Information forms on projects. All blocks must be completed and all data must be accurate, current, and complete.
- At least two (2) of the projects must demonstrate that they are **same or similar** to the project described in the solicitation.
- All projects submitted must demonstrate that they are at least 50% complete.
- At least one (1) of the projects submitted must demonstrate that it is valued at over \$1,500,000.00 **AND** demonstrate that it has been completed within the last 3 years. This project must also demonstrate that it is the **same or similar** to the project described in the solicitation.
- **At least one (1) project must demonstrate that it has been successfully completed in the following Province(s):**  
LIST PROVINCE(S): Logar, Wardak, Bamyan, and Kabul

This one (1) project must have been completed within the last three (3) years. This project must demonstrate that it is 100% complete. This project **does not** have to be the **same or similar** to that described in the solicitation.

\*\*\*Failure to meet all of the requirements under this factor will result in a "NO GO" rating.

**B. FACTOR 2 - KEY PERSONNEL:** The Government will review the resumes provided in response to Section 00110, Factor 2.

The Offeror must submit resumes for the following Key Personnel:

Project Manager for Design  
Project Manager for Construction  
Senior Electrical Engineer  
Senior Mechanical Engineer  
Senior Civil Engineer



On-Site Construction Superintendent  
 Safety Officer  
 Quality Control Manager

Project Scheduler (Resume must indicate Scheduling Software experience (e.g., Primavera, Microsoft Project))

All resumes must include the following information and may NOT exceed two (2) pages.

- Name and title
- Project positions held
- Name of firm
- Years experience with this firm (to include your field of expertise/discipline) **and** years of experience with other firms (to include your field of expertise/ discipline)
- Education degree(s), year, and institution
- Active professional registration, year first registered, if applicable
- Other experience and qualifications relevant to same/similar work required under this contract
- List of projects in which the individual has worked to include Name of project(s) and project location(s)

The following key personnel must have degrees in the required disciplines:

The following Key Personnel shall have a minimum of five (5) years of professional experience in that field.

- Project Manager for Design – Architectural or Engineering Degree

The following Key Personnel shall have a minimum of three (3) years of professional experience in that field.

- Project Manager for Construction – Architectural or Engineering Degree
- Senior Electrical Engineer – Electrical Engineering Degree
- Senior Mechanical Engineer – Mechanical Engineering Degree
- Senior Civil Engineer – Civil Engineering Degree

\*\*\*Failure to meet all of the requirements under this factor will result in a “NO GO” rating.

**C. FACTOR 3 - PAST PERFORMANCE:** The Offeror must demonstrate relevant past performance for no more than five (5) projects. Performance under a project will be determined “acceptable” if the Offeror has obtained or demonstrates a performance evaluation rating of at least “satisfactory”, or equivalent, on the project.

- The Offeror shall demonstrate its past performance by completing and submitting no more than five (5) Past Performance forms attached at the end of Section 00110 in response to this factor. Past Performance forms submitted must be on projects that are at least 50% completed within the last three (3) years.
- The Offeror’s past performance documentation must demonstrate the Offeror’s ability to successfully perform the contract which is the subject of this Solicitation.
- The Offeror may demonstrate acceptable Past Performance through a qualified subcontractor, or a joint venture partner, if the Offeror is a joint venture.

- All blocks on the Past Performance form must be completed and all data must be accurate, current and complete, to include the DUNS number, if available and the two (2) Points of Contact/References for each project
- Letters of recommendation, commendations, and/or awards on projects, which demonstrate construction experience will be reviewed and evaluated if provided by the Offeror.
- In evaluating an Offeror's Past Performance, the Government may utilize:
  - a. The Offeror's "Past Performance" forms, submitted with the Offeror's Technical Proposal.
  - b. Any performance evaluation documents, letters, memoranda, commendations or awards which the Offeror submits with its Technical Proposal.
    - (i) To receive credit for this documentation, the documentation must refer to the Offeror's performance in execution of a project (listed on one of the Offeror's "Past Performance" forms), a qualified subcontractor, or a joint venture partner, if the Offeror is a joint venture.
    - (ii) Credit will only be given to performance documentation pertaining to an individual, if the individual is being proposed as a member of the Offeror's project team under the Solicitation.
  - c. Documentation currently contained in the Government's Contractor Performance Assessment Reporting System (to include ACASS, CCASS, and CPARS).
  - d. Documentation pertaining to the Offeror's performance under Government projects, located in the Government's Resident Management System (RMS), and located in the Government's contract files.
  - e. Information from the references furnished by the Offeror on its "Experience" and "Past Performance" forms, as well as from the points of contact listed with the list of the Offeror's current contracts.
  - f. Information from the Government's own personnel, who have personal knowledge of the Offeror's performance on current or past projects.
  - g. Any other source of Past Performance information which the Government deems relevant and necessary to consider.

\*\*\*Failure to meet all of the requirements under this factor will result in a "NO GO" rating.

\*\*\*In the case of an Offeror without a record of relevant past performance or for whom information on past performance is not available, the Offeror may not be evaluated favorably or unfavorably on past performance and will be given a "Neutral" evaluation rating. In these instances, a "Neutral" evaluation rating will result in a "GO" rating for this Factor.

## 6. GENERAL TECHNICAL CRITERIA

- a. The Government may reject, without evaluation of an offer's Technical and or Price Proposal, if the proposal omits a material element; such as failure to provide documentation in support of part or all of a Technical Proposal, or failure to provide all required prices in the Proposal Schedule, failure to sign the Standard Form 1442, etc..
- b. Proposals which fail to follow the formatting requirements of this Solicitation may be considered unacceptable.

## CLAUSES INCORPORATED BY FULL TEXT

## 52.215-1 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (JAN 2004)

## (a) Definitions. As used in this provision--

"Discussions" are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer's discretion, result in the offeror being allowed to revise its proposal.

"In writing or written" means any worded or numbered expression which can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

"Proposal modification" is a change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

"Proposal revision" is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

"Time", if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) Amendments to solicitations. If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) Submission, modification, revision, and withdrawal of proposals. (1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

## (2) The first page of the proposal must show--

(i) The solicitation number;

(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

## (3) Submission, modification, or revision, of proposals.

(i) Offerors are responsible for submitting proposals, and any modifications, or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in



the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii)(A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and--

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) Offer expiration date. Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

(e) Restriction on disclosure and use of data. Offerors that include in their proposals data that they do not want



disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall--

(1) Mark the title page with the following legend: This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed--in whole or in part--for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of--or in connection with-- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]; and

(2) Mark each sheet of data it wishes to restrict with the following legend: Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.

(f) Contract award. (1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) If a post-award debriefing is given to requesting offerors, the Government shall disclose the following information, if applicable:

(i) The agency's evaluation of the significant weak or deficient factors in the debriefed offeror's offer.

(ii) The overall evaluated cost or price and technical rating of the successful and the debriefed offeror and past performance information on the debriefed offeror.

(iii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection.

(iv) A summary of the rationale for award.

(v) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(vi) Reasonable responses to relevant questions posed by the debriefed offeror as to whether source-selection procedures set forth in the solicitation, applicable regulations, and other applicable authorities were followed by the agency.

(End of provision)

#### 52.233-2 SERVICE OF PROTEST (SEP 2006)

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the Government Accountability Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from

U.S. Army Corps of Engineers (USACE)

Afghanistan Engineer District - North (AEN)

Qalaa House, Attention: Robert Winne

House #1, Street #1

West Wazir Akbar Khan (behind Amani High School),

Kabul, Afghanistan

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of provision)

#### 52.236-27 SITE VISIT (CONSTRUCTION) (FEB 1995)

(a) The clauses at 52.236-2, Differing Site Conditions, and 52.236-3, Site Investigations and Conditions Affecting the Work, will be included in any contract awarded as a result of this solicitation. Accordingly, offerors or quoters are urged and expected to inspect the site where the work will be performed.

(b) Site visits may be arranged during normal duty hours by contacting:

Name:

Address:

Telephone:

An organized site visit will not be held. Vendors may visit the site on their own schedule and at their own risk.

(End of provision)

## 52.236-28 PREPARATION OF PROPOSALS--CONSTRUCTION (OCT 1997)

- (a) Proposals must be (1) submitted on the forms furnished by the Government or on copies of those forms, and (2) manually signed. The person signing a proposal must initial each erasure or change appearing on any proposal form.
- (b) The proposal form may require offerors to submit proposed prices for one or more items on various bases, including--
- (1) Lump sum price;
  - (2) Alternate prices;
  - (3) Units of construction; or
  - (4) Any combination of paragraphs (b)(1) through (b)(3) of this provision.
- (c) If the solicitation requires submission of a proposal on all items, failure to do so may result in the proposal being rejected without further consideration. If a proposal on all items is not required, offerors should insert the words "no proposal" in the space provided for any item on which no price is submitted.
- (d) Alternate proposals will not be considered unless this solicitation authorizes their submission.
- (End of provision)

## 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<http://farsite.hil.af.mil>

(End of provision)

952.225-0012,

**952.225-0012 – NOTICE OF LIMITED COMPETITION**

**C3 PROVISION 952.225-0012**

**NOTICE OF LIMITED COMPETITION**

**(JUL 2010)**

(a) This procurement is restricted to a particular source or sources from Iraq or Afghanistan in accordance with Defense Federal Acquisition Regulation Supplement (DFARS) 225.7703-1(a)(3).

(b) “Source from Iraq or Afghanistan” is defined by DFARS 225.7701 as a “source that (1) is located in Iraq or Afghanistan; and (2) offers products or services from Iraq or Afghanistan”.

(q) In accordance with AI 25.1103□113, C3 clause 952.225□0013, Contractor health and safety, shall be included in all service and construction contracts with performance in Iraq or Afghanistan.